

LORIE E. ALMON
CHRISTOPHER H. LOWE
MARY E. AHRENS
SEYFARTH SHAW LLP
620 Eighth Avenue, Suite 3200
New York, New York 10018
(212) 218-5500

Attorneys for Defendant
Costco Wholesale Corporation

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHENER M. GREENIDGE,		: ECF Case
		:
		: Case No. 09-CV-4224 (RRM)(ALC)
		:
	Plaintiff,	:
		: DECLARATION OF
v.		: CHRISTOPHER H. LOWE
		:
COSTCOS WHOLESALE,		:
		:
	Defendant.	:
		:

Christopher H. Lowe, an attorney duly admitted to practice law in the State of New York, under penalty of perjury, hereby declares:

1. I am a member of the Bar of this Court and a member of the law firm Seyfarth Shaw LLP, attorneys for Defendant Costco Wholesale Corporation, incorrectly named in the Complaint as "Costcos Wholesale," ("Costco" or "Defendant") in the above-captioned case. I submit this Declaration in support of Costco's Motion for Summary Judgment. I know the facts testified to in this Declaration to be true based on my own personal knowledge and a review of the documents.
2. Annexed hereto as Exhibit A is a true and correct copy of the Complaint filed by Plaintiff Shener Greenidge on September 21, 2009.
3. Annexed hereto as Exhibit B is a true and correct copy of Costco's Answer and Affirmative and Other Defenses to the Complaint filed on December 21, 2009.

4. Annexed hereto as Exhibit C are true and correct copies of the relevant transcript pages from the deposition of Plaintiff, taken on September 3, 2010.

5. Annexed hereto as Exhibit D is a true and correct copy a New Hire/Rehire Entry Form, which was produced by Costco in discovery.

6. Annexed hereto as Exhibit E are true and correct copies of selected pages from Costco's Employee Agreement, which was produced by Costco in discovery and marked as Exhibit 5 at Plaintiff's deposition.

7. Annexed hereto as Exhibit F are true and correct copies of Plaintiff's Acknowledgment of Receipt of the 2007 Costco Employee Agreement and Anti-Harassment Policy, which were produced by Costco in discovery and marked as Exhibit 3 at Plaintiff's deposition.

8. Annexed hereto as Exhibit G is a true and correct copy of Costco's New Hire Orientation Checklist, which was produced by Costco in discovery.

9. Annexed hereto as Exhibit H is true and correct copy of Plaintiff's resume, which was produced by Costco in discovery and marked as Exhibit 1 at Plaintiff's deposition.

10. Annexed hereto as Exhibit I is a true and correct copy of Costco's Termination/Resignation form, which was produced by Costco in discovery and marked as Exhibit 9 at Plaintiff's deposition.

11. Annexed hereto as Exhibit J are true and correct copies of Plaintiff's attendance records, which were produced by Costco in discovery.

12. Annexed hereto as Exhibit K is a true and correct copy of Plaintiff's prenatal risk assessment, which was produced by Costco in discovery.

13. Annexed hereto as Exhibit L are true and correct copies of an Employee Information Change form and personnel action history, which were produced by Costco in discovery.

14. Annexed hereto as Exhibit M is a true and correct copy of a document entitled "Progress Review," which was produced by Costco in discovery and marked as Exhibit 8 at Plaintiff's deposition.

15. Annexed hereto as Exhibit N is a true and correct copy of a document entitled "Areas of Concern," which was produced by Costco in discovery and marked as Exhibit 10 at Plaintiff's deposition.

16. Annexed hereto as Exhibit O is a true and correct copy of an Employee Counseling Notice, which was produced by Costco in discovery and marked as Exhibit 7 at Plaintiff's deposition.

17. Annexed hereto as Exhibit P is a true and correct copy of an Employee Counseling Notice, which was produced by Costco in discovery and marked as Exhibit 6 at Plaintiff's deposition.

I declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the foregoing is true and correct.

February 16, 2011

SEYFARTH SHAW LLP

By: s/ Christopher H. Lowe

Lorie E. Almon

Christopher H. Lowe

Mary E. Ahrens

620 Eighth Avenue, 32nd Floor

New York, NY 10018-1405

(212) 218-5500

Attorneys for Defendant

Costco Wholesale Corporation